

IN THE CLAIMS

Please amend the following claims as follows:

P1
X2

38. (Once Amended) The apparatus of claim 33, wherein the second control module[s] includes a control module to recover at least one control word associated with decryption of a video component of the selected service.

A3

54. (Once Amended) The apparatus of claim 49, wherein the second control module[s] includes a control module to recover at least one control word associated with decryption of a video component of the selected service.

REMARKS

The present application is a continuation of parent applicant U.S. Patent Application Serial No.09/111,958, presently abandoned.

For this Preliminary Amendment, Applicants address the rejections of the claims in the parent application. Claims 1-64 were rejected in the parent application. Specifically, claims 1, 33-37, 43-53 and 62-64 were rejected under 35 U.S.C. § 102(b). In addition, claims 2-32, 37-42 and 54-61 were rejected under 35 U.S.C. § 103(a). Applicants traverse the rejections in the Office Action in the parent application. Furthermore, the Office Action reminded Applicants about the proper format regarding the abstract of the invention. However, Applicants submit that the abstract does conform to the requirements and is less than 250 words.

Under 35 U.S.C. § 102(b) the Office Action rejected claim 1 as being anticipated by *Wasilewski*, U.S. Patent No. 5,420,866, and rejected claims 33-37, 43-53 and 62-64 as being anticipated by *Pinder et al.*, U.S. Patent No. 5,742,677. Applicants traverse the rejections for the following reasons.

With regard to the rejection of claim 1, entitlement unit numbers are included in encrypted entitlement control messages. Thus, decrypting the encrypted entitlement control message results in “**revealing at least one first entitlement number associated with the selected service**”. The cited prior reference fails to disclose an entitlement number as claimed in claim 1, and therefore Applicants respectfully submit that the cited prior reference does not anticipate Applicants claimed invention.

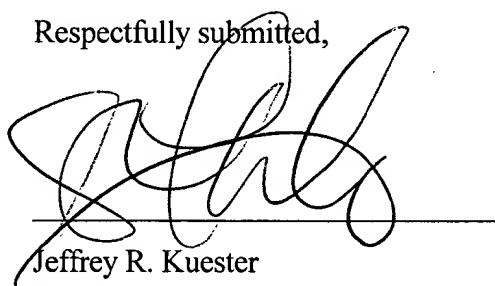
With regard to the rejection of independent claims 33 and 49, Applicants claim “**a secure element having at least one authorized entitlement unit number stored therein**”. While the *Pinder et al.* reference does disclose the use of “tier maps” to store entitlements in the reconfigurable memory, it fails to disclose a specific method of using **entitlement unit numbers**. Furthermore, as stated in various present claims, *Pinder et al.* does not disclose transmitting entitlement unit numbers in a packet multiplex, and using them in a fashion that links global ECM’s and addressed EMM’s. Thus, the use of entitlement unit numbers taught by Applicants is patentably distinguishable over “tier numbers” disclosed in the *Pinder et al.* reference. Applicants respectfully submit that the *Pinder et al.* reference does not disclose all of the features and limitations of independent claims 33 and 49, and therefore, Applicants respectfully submit that claims 33 and 49 are not anticipated by the *Pinder et al* reference.

The second element of independent claim 17 contains the limitation “**revealing at least one first entitlement number**”. As previously discussed hereinabove, the entitlement number is used functionally in the presently claimed invention, and it is not disclosed in the *Pinder et al.* reference nor in the *Wasilewski* reference. Applicants respectfully request that the rejection of independent claim 17, based upon the combination of the *Pinder et al.* and the *Wasilewski* references, be withdrawn, as the combined references do not disclose an “**revealing at least one first entitlement number**” as claimed in independent claim 17.

Applicants respectfully submit that independent claims 1, 17, 33 and 49 all recite and claim limitations not disclosed in the cited references, and are therefore patentably distinguishable over the cited references. Applicants respectfully submit that independent claims 1,

17, 33 and 49 are in condition for allowance and consequently all claims dependent upon them are also in condition for allowance. Favorable consideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



Jeffrey R. Kuester

Registration No. 34,367

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

Suite 1750

100 Galleria Parkway N.W.

Atlanta, Georgia 30339

(770) 933-9500